

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**DENMAN KOUNTZE, JR., as
President and Trustee of the
Hitchcock Foundation, Naples,
Florida,**

Plaintiff,

vs.

FIRST NATIONAL BANK OF OMAHA,

Defendant.

CASE NO. 8:04CV615

**MEMORANDUM
AND ORDER**

This matter is before the Court on the Motion of the State of Nebraska, Office of the Attorney General, for an extension of time for the filing and service of an Amended Complaint in the above captioned matter as set forth in the August 31, 2005, Memorandum and Order of the Court (Filing 29). For good cause shown,

IT IS ORDERED:

1. The Motion for an Extension of Time (Filing No. 33) is granted;
2. The Amended Complaint shall be filed, if at all, with the Court and served upon the Defendant First National Bank of Omaha on before October 31, 2005; and
3. Service of process upon the Gilbert M. and Martha H. Hitchcock Foundation shall be obtained by November 14, 2005, or the movant shall file a status report and state the cause for the delay.

DATED this 16th day of September, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge